

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING

TUESDAY, MARCH 25, 2014
7:00 P.M.

1. PLEDGE OF ALLEGIANCE

(Colton Goodman, Interim President of SGA, Johnson & Wales)

2. INVOCATION

(Pastor Ude Ogali, Redeemed Christian Church of God-Victory Parrish Miami)

3. CALL TO ORDER / ROLL CALL OF MEMBERS

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(s)

- ◆ Award recognition to *State Representative Daphne Campbell, RN* in honor of *National Women's History Month*
- ◆ Certificate of Recognition in honor of *Black History Month Committee*
- ◆ Recognition to the *Independent School Safety Coalition*
- ◆ Recognition of the *North Miami Police Department's 2014 LEO Award winners*
- ◆ Downtown Action Plan Conceptual Plan presentation by *Alex David, Architect of Corradino Group* followed by downtown Developer *Yoram Izhar* from *IMC Group*
- ◆ First Quarterly Budget update by *Arthur Sorey, III, Budget Manager*

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS 2014 UPDATE

8. CITIZENS' FORUM

9. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH D CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR

DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH D BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – March 11, 2014

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING EFFORTS TO REDUCE GUN VIOLENCE AND ILLEGAL FIREARMS TRAFFICKING THROUGH MORE RESPONSIBLE GUN SALES AND MARKETING PRACTICES AND TO ENCOURAGE THE CONSIDERATION OF SALES AND MARKETING SAFEGUARDS; AND DIRECTING THE CITY CLERK TO SEND A CERTIFIED COPY OF THIS RESOLUTION TO ALL SOUTH FLORIDA MUNICIPALITIES, THE FLORIDA LEAGUE OF CITIES, INC., ALL MEMBERS OF FLORIDA'S CONGRESSIONAL DELEGATION, AND TO THE OBAMA ADMINISTRATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Mayor Lucie M. Tondreau and Councilman Scott Galvin

[TAB C]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2013-2014 THROUGH 2017-2018, BASED UPON THE RECOMMENDATIONS OF THE PLANNING COMMISSION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey, Budget Manager

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR A GRANT FROM THE NATIONAL URBAN AND COMMUNITY FORESTRY PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Governmental Affairs Manager

10. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

10.A. RESOLUTIONS

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ADMINISTRATION TO PROCEED WITH ANNEXATION ANALYSIS TO DETERMINE THE FEASIBILITY OF A PROPOSED BOUNDARY CHANGE TO INCORPORATE INTO THE CITY OF NORTH MIAMI THE AREA GENERALLY BORDERED ON THE WEST-SIDE BY SPUR CANAL NUMBER 4, ON THE EAST-SIDE BY NORTHWEST 6TH AVENUE, GENERALLY SOUTH TO NORTHEAST 2ND COURT, ON THE SOUTH-SIDE, BY NORTHEAST 135TH STREET, AND ON THE NORTH-SIDE BY SOUTH SPUR DRIVE, IDENTIFIED AS THE “SOUTH SPUR DRIVE ANNEXATION AREA”; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP & D / Zoning Manager

[TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORTH MIAMI AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC., TO IMPLEMENT A VOLUNTARY RETIREMENT INCENTIVE FOR ELIGIBLE BARGAINING UNIT EMPLOYEES AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE PLAN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Guithele Ruiz-Nicolas, Personnel Director

10.B. LEGISLATIVE MATTERS – [NONE]

10.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB G]

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, ENTITLED “JUNKED, WRECKED, STOLEN, ABANDONED PROPERTY” TO PROHIBIT ACCUMULATION AND STORAGE OF ABANDONED PROPERTY AND PROVIDING FOR THE REMOVAL OF ABANDONED PROPERTY BY THE CITY; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: Regine M. Monestime, City Attorney

10.B.2. ORDINANCES – FIRST READING

[TAB H]

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 15 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, BY CREATING SECTION 15-138,

ENTITLED “RETIREMENT INCENTIVE PROGRAM” IN ARTICLE IV “NORTH MIAMI POLICE PENSION PLAN”, TO ESTABLISH A RETIREMENT INCENTIVE PROGRAM FOR CERTAIN ELIGIBLE MEMBERS OF THE POLICE PENSION PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Guithele Ruiz-Nicolas, Personnel Manager

[TAB I]

PROPOSED ORDINANCE (***FIRST READING***) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, SPECIFICALLY AT ARTICLE 5, ENTITLED “DEVELOPMENT STANDARDS”, TO INCLUDE A NEW DIVISION 22, ENTITLED “DISTANCE REQUIREMENT FOR CERTAIN RETAIL USES”, TO MITIGATE THE PROLIFERATION OF SPECIFIC RETAIL USES, SPECIFICALLY AS IT APPLIES TO THE DOWNTOWN COMMERCIAL CORRIDOR, AND TO ENCOURAGE A MORE DIVERSE AND PRODUCTIVE BUSINESS ENVIRONMENT AS ENVISIONED IN THE CITY OF NORTH MIAMI DOWNTOWN MASTER DEVELOPMENT AND MAJOR CORRIDOR PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: Mayor Lucie M. Tondreau

[TAB J]

PROPOSED ORDINANCE (***FIRST READING***) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI, ENTITLED “ADMINISTRATION”, ARTICLE III, ENTITLED “BOARDS, COMMITTEES, COMMISSIONS”, DIVISIONS 2 THROUGH 10, SPECIFICALLY AT SECTIONS 2-61, 2-82, 2-158, 2-187, 2-201, 2-217, 2-227, 2-231, 2-238 AND 2-249, BY AMENDING THE BOARD COMPOSITION FOR THE BOARD OF TRUSTEES OF THE NORTH MIAMI MUSEUM OF CONTEMPORARY ART (MOCA) AND BY REVISING TERMS OF OFFICE TO ALLOW FOR THE TERMS OF BOARD AND COMMISSION MEMBERS TO BE COTERMINOUS WITH THE TERM OF THE APPOINTING COUNCILMEMBER; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: Mayor Lucie M. Tondreau

10.C. QUASI-JUDICIAL ITEM(S) – [NONE]

(NOTE: Quasi-Judicial items will usually be Approve/Deny/Approve with Conditions.)

QUASI-JUDICIAL PUBLIC HEARINGS: PLEASE BE ADVISED THAT THE ABOVE ITEM(S) ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEM(S), PLEASE INDICATE THE TAB NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSON(S) TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAS MADE THEIR PRESENTATIONS ON EACH ITEM.

SWEARING IN: ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-

EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME, COUNCILMEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA. AT THIS TIME, THE CLERK WILL SWEAR IN ANY PERSON WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM.

11. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB K]

DISCUSSION REGARDING DOWNTOWN ACTION PLAN ADVISORY COMMITTEE (DAPAC) LISTED NAMES BY CATEGORIES

Sponsored by: Tanya Wilson-Sejour, CP&D / Zoning Manager

[TAB L]

DISCUSSION AND APPROVAL FOR THE RE-ALLOCATION OF \$1.5M FROM DISTRICT 3 FOR CAPITAL IMPROVEMENTS

Sponsored by: Mayor Lucie M. Tondreau

[TAB M]

DISCUSSION AND APPROVAL FOR THE PURCHASE OF A TABLE FOR SANT LA'S ANNUAL FUNDRAISING RECEPTION, MAY 2, 2014

Sponsored by: Mayor Lucie M. Tondreau

12. COUNCIL REPORTS

Councilwoman Carol Keys, Esq.

Councilman Scott Galvin

Councilwoman Marie Erlande Steril

Vice-Mayor Philippe Bien-Aime

Mayor Lucie M. Tondreau

13. CITY CLERK'S REPORT

14. CITY ATTORNEY'S REPORT

15. CITY MANAGER'S REPORT

16. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.

- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

ZONING SYMBOLS (continue)

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District